



Attorney's Docket No. 013200-066

2/26/03
Patent
J. D. Smith

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of

Rainer HINTSCHE

Application No.: 09/900,924

Filed: July 10, 2001

For: SENSOR AND/OR SEPARATING
ELEMENT AND PROCESS FOR
THE PRODUCTION AND USE
THEREOF

Group Art Unit: 1723

Examiner: Ana M. Fortuna

Confirmation No.: 8712

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FEB 24 2003
TC 1700

RESPONSE TO REQUIREMENT FOR RESTRICTION

Assistant Commissioner for Patents
Washington, D.C. 20231

Sir:

In response to the Official Action dated January 15, 2003, setting forth a restriction requirement, Applicant hereby elects, with traverse, Group I (Claims 1-13 and 23).

The requirement is respectfully traversed because, as stated by the Office in the Manual of Patent Examining Procedure, if the search and examination of an entire application can be made without serious burden, the examiner must examine it on the merits, even though it includes claims to independent or distinct inventions. M.P.E.P. § 803.

Applicants request rejoining of at least Group III with Group I, because there would be no serious burden on the examiner if these claims were examined together. The claims of Group III are drawn to methods of using the sensor or separating elements of Group I and depend from a claim in Group I. Therefore, if the sensor or separating elements of

Group I are found novel and non-obvious, the processes of the dependant claims of Group III must also be novel and non-obvious. Applicant further requests the rejoining of Group II with Groups I and III, because there would not be a serious burden on the examiner if these claims are examined together due to the substantial overlap of the required search in view of the relatedness of Groups I and II.

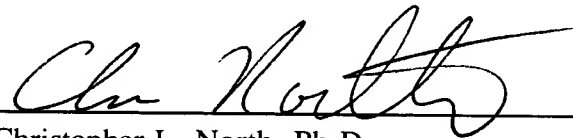
Applicant notes that the Official Action set a one month period of time for reply that expired on February 15, 2003. February 15-16, 2003, fell on a Saturday and Sunday, February 17, 2003, was a Federal Holiday, and on February 18, 2003, the Office was closed due to a weather emergency. Therefore, no fees for an extension of time are believed to be required. However, the Commissioner is authorized to charge any appropriate fees under 37 C.F.R. §§ 1.16, 1.17, and 1.21 that may be required by this paper, and to credit an overpayment, to Deposit Account No. 02-4800.

Further and favorable action in the form of a Notice of Allowance is believed to be next in order. Such action is earnestly solicited.

In the event that there are any questions relating to this application, it would be appreciated if the Examiner would telephone the undersigned concerning such questions so that prosecution of this application may be expedited.

Respectfully submitted,

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